

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT RAMSEY, et al.,

Plaintiffs,

v.

CASE NO. 1:07-CV-139

PATRICIA CARUSO, et al.,

HON. ROBERT HOLMES BELL

Defendants.

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ORDER ADOPTING THE REPORT AND RECOMMENDATION

Plaintiffs William Lee, Robert Ramsey, and Timothy Boulding filed this action under 42 U.S.C. § 1983 against various prison employees and medical personnel. Through two separate motions, Defendants Abdellatif and Spitters moved to dismiss Plaintiff Ramsey and Plaintiff Boulding's claims on December 23, 2009. (Dkt. Nos. 132, 133.) On July 8, 2010, Magistrate Judge Ellen S. Carmody issued a report and recommendation (R&R) recommending that the motions to dismiss be granted, and that the remaining claims against the remaining Defendants be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for failure to state a claim on which relief may be granted. (Dkt. No. 140.) The R&R was duly served on the parties. No objections have been filed. The Court has reviewed the R&R and has determined that it provides sound analyses and recommendations. Accordingly,

IT IS HEREBY ORDERED that the July 8, 2010, R&R (Dkt. No. 140) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that the May 28, 2010, R&R (Dkt. No.139) is **REJECTED** as moot.

IT IS FURTHER ORDERED that the motion to dismiss filed by Defendants Abdellatif and Spitters (Dkt. No. 138) is **DENIED** as moot.

IT IS FURTHER ORDERED that the motions to dismiss the claims of Plaintiffs Ramsey and Bouldings, filed by Defendants Abdellatif and Spitters (Dkt. Nos. 132, 133) are **GRANTED**.

IT IS FURTHER ORDERED that the remaining claims against the remaining Defendants are **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted.

The Court hereby certifies that an appeal of this order would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

Dated: August 17, 2010

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE